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U. S. PATENT OFFICE

# *Annual Report*

of the

# Commissioner of Patents

*Fiscal Year 1963*



U.S. DEPARTMENT OF COMMERCE

PATENT OFFICE



**U.S. DEPARTMENT OF COMMERCE**

**LUTHER H. HODGES, *Secretary***

**PATENT OFFICE**

**DAVID L. LADD, *Commissioner***



# Annual Report, Fiscal Year 1963

During fiscal year 1963, the Patent Office met its statutory mission of the administration of the laws relating to the granting of patents and the registration of trademarks. By so doing, the Office also carried on its traditional role in the advancement of science and technology and served as a stimulus to economic growth in the United States. The year saw the implementation of a substantial portion of the Management Survey made during the fiscal year 1962, resulting in a more modern and revitalized Patent Office, better able to carry the heavy commitments expected in fiscal year 1964. In addition to a major reorganization, the Patent Office explored the use of mechanical and electronic means to solve its information and storage-retrieval problems.

## *Implementation of Management Survey*

Many recommendations of the Management Survey, completed in fiscal year 1962, were carried out in fiscal 1963.

Physical facilities where examiners and clerical personnel work have been improved as recommended by the Survey. The improvements included painting and renovation of offices, search rooms, and corridors; installation of additional canteens; procurement of new offices and equipment; and air-conditioning of almost all Patent Office space.

In addition to the interim measures for improving the physical working facilities, considerable progress has been made towards obtaining a new Patent Office building, as strongly recommended in the Management Survey Report. The General Services Administration prospectus for the new building has been approved by the Senate Public Works Committee, as has the site location in the Howard-Anne Arundel County area of Maryland. No action has been taken by the House Committee as yet. Should the House Committee concur in the Senate action then separate legislation will be initiated to provide funds for construction of the building. Location of the building in the metropolitan Washington, D.C., area is precluded by the Year 2000 Plan approved by the President.

Other recommendations calculated to improve the status of employees have likewise been adopted. New selection procedures for promotion, based on merit, have been established for both professional and non-professional employees. Full and partial signatory authorities have been delegated to a greater number of qualified examiners, which speeds up examination procedures by eliminating a level of review.



### **Reorganization**

In the reorganization of the Office, the Patent Examining Corps has been structured into four Operations, Chemical, Electrical, Mechanical, and General, with each Operation having 7 or 8 Groups. The arts have been distributed among these Operations and Groups according to their similarities. Thus the examiner's search in classes related to his own art has been greatly facilitated. In addition, the more logical arrangement of arts will make it easier for patent attorneys and agents to conduct their business with the Office.

In charge of the Corps of Patent Examiners is the Superintendent. Responsible directly to the Superintendent are the four Directors of Operations, to whom the Group Supervisors are responsible. The Group is the basic administrative unit, except in Classification where the division organization has been retained.

A very important result of the reorganization has been the placing of greater emphasis on making a more thorough examination in the first Office action on a patent application (compact prosecution). In many cases, disposal may now even be accomplished by the second Office action.

Coupled with the reorganization has come a management training program for Directors and Group Supervisors, designed to improve the management-employee relationship through the use of better management and leadership techniques.

As part of the reorganization, two new offices were approved by Congress and included in the budget for fiscal 1963:

THE OFFICE OF EXAMINING CONTROL has been established as an adjunct to the Superintendent. This Office has as its basic mission (1) the indoctrination and training of new examiners in the newly established Patent Office Academy, (2) the development of quality and quantity guidelines and standards for the Examining Corps, (3) the spot checking and inspection of Examining Corps output to assure management that objectives are being obtained, (4) to assure consistency of operations by the dissemination of precedent board and court decisions and Patent Office policies and procedures. All of these objectives have now been implemented, two important results being the establishment of the Quality Control Program and interim quantity standards for each examiner.

A milestone in examiner training has been the graduation of the first two classes from the Patent Academy. The Academy may now enroll students from industry, law firms, and other government agencies on a fee-paying basis. The following schedule of fees for the training course has been established:

	Non-Patent Office Govern- ment employees	Non-Govern- ment employees
Lectures only . . . . .	\$100. 00	\$125. 00
Lectures plus classroom instruction . . . . .	350. 00	425. 00



Although patent disposals dropped slightly in fiscal 1963 with a resulting slight increase in the backlog of applications, the results of the programs of the Office of Examining Control are expected to result in higher disposals as these programs reach their full effectiveness.

The Board of Appeals substantially reduced its docket during the year. Waiting periods for oral hearings were cut in half; hopefully, by the end of fiscal 1964, the Board of Appeals docket will be substantially current.

The Trademark Trial and Appeal Board considered its docket to be current on June 30, 1963. There were 1,468 proceedings pending.

The workload of the Board of Patent Interferences continued at a high level throughout the fiscal year, although the total number of cases pending at the end of the fiscal year was increased by only one, as compared to a steady increase in previous years.

THE OFFICE OF PLANNING AND PROGRAM EVALUATION has been established, in accordance with recommendations made in the Management Survey Report. This office, which reports directly to the Commissioner, serves as a central overall planning arm of the Commissioner and performs fact-finding and analysis of various Patent Office programs to assure the Commissioner that his policies are being carried out effectively and efficiently.

### ***Research and Development***

The *Research and Development Program* is designed to assist the examiner both in the immediate and more distant future. The central theme of this program is the use of modern computer equipment to speed up the novelty search and make it more complete. Necessarily, the short run achievements will be modest and will apply to a limited scope of art.

Additional emphasis was directed to testing and evaluating various information retrieval systems consistent with the studies and recommendations of various committees contained in a Staff Report of the Subcommittee on Patents, Trademarks and Copyrights of the Committee on the Judiciary, Eighty-Eighth Congress, First Session, released on June 17, 1963. This staff report was entitled *U.S. Patent Office Research and Development Program*. In releasing the study, Senator McClellan referred to present defects of the examination system and indicated the great importance which he attaches to the research and development program of the Patent Office. The Senator further declared, "It is too early to tell whether the research and development program of the Patent Office will be successful in permitting mechanized searching in most classes of the arts. If, after further research, it should appear that such efforts do not afford reasonable prospects of success, it would then become necessary to consider substantial changes in our present examination system, before the entire system runs the danger of collapse."

Consideration was given to the whole examining process, and to more basic research which seeks a theoretical understanding of the problems of information storage, search, and retrieval. Efforts were continued to-



ward development of operational files to provide a vehicle for evaluation studies and to give assistance to examiners in limited areas.

Statistical evaluations were initiated for the consistency and accuracy of coding and effectiveness of searching in operational files. The development of a formal stochastic model of the complete process was started.

The long range research, jointly conducted with the National Bureau of Standards, for general coding schemes applicable to chemical compounds and other network type disclosures was stepped up. A project directed toward computer analysis of texts and schematics was also intensified.

A machine search file in the field of organo-metallics was made operational and preliminary tests were conducted. Work was started on a large file (heterocyclic compounds) of approximately 30,000 documents to evaluate the effectiveness of machine assistance in an area where examiners should, in many cases, search that many documents.

The Office of Patent Classification reported that six new classes plus a new classification for plant patents were established during fiscal year 1963 and six classes were abolished. As of June 30, 1963, 310,380 U.S. original patents in 36 classes and parts of classes were undergoing reclassification, the work being in various stages of progress. Examination of pending applications concurrently with patent reclassification was discontinued in Divisions 91, 92, and 95. The Office of Patent Classification staff averaged 81 classifiers and examiners, the year-end total decreasing to 76.

A project has been undertaken by the Office of Research and Development to determine the effect of reclassification of an art on the effectiveness of examiners in terms of faster and more accurate searches and adjudication. In view of the many variables surrounding such a project, and the inherent difficulties of measuring the performance of examiners, it is anticipated that the project will require considerable time and effort. It is desirable to compare the performance of examiners with and without classification experience in their relative abilities to efficiently use the upgraded classification tools.

The assessment of examiner performance with reclassified art is part of a larger research program. For proper understanding and effective management of the Patent System, it is essential to be able to compare the performance of examiners in various parts of the Office and at different times. The same techniques allow comparison of the examination activity before and after mechanical searching aids are made available, or indeed before and after any change in adjudication procedure or Office administration.

The particular importance of measuring the advantages of updating and improving the manual classification system is that it is the only substantial search tool in use throughout the entire Office. Information on the benefits from this activity should provide a guide for the amount of resources assigned to the Office of Patent Classification, where this work is conducted.



### ***Patent Personnel***

Despite constant effort to reduce the 20% annual turnover in the Examining Corps, little progress has been made in fiscal 1963. However, the Patent Technician program is now in full operation and will provide a measure of assistance to the Examining Corps as these well-qualified high school graduates complete their training. It is hoped that the use of quality and quantity norms as a basis for promotions, awards, step increases, and quality increases will result in improved morale in the Examining Corps with a consequent increase in the number of examiners desiring to make their careers at the Patent Office.

Significant advancements were made in fiscal 1963 in equal employment opportunities. In the Patent Office, careful attention is paid to the promotion rate of Negro employees.

	June 30, '62	Mar. 31, '63	Promoted July '62- Mar. '63	Outstand- ing ratings July '62- Mar. '63	Cash awards July '62- Mar. '63
<b>Non-professional employees:</b>					
Total.....	1, 192	1, 111	219	18	51
Negro.....	670	693	142	6	22
Percent Negro to total...	56	62.3	64.8	33.3	43.1
<b>Professional employees:</b>					
Total.....	1, 315	1, 301	535	13	52
Negro.....	60	66	27	1	2
Percent Negro to total...	4.5	5	5	7.6	3.8

All Patent Office employees are involved in the actual promotion mechanics. In accordance with Promotion Plan I, employee advisory boards assist in establishing qualifications for positions and in rating and ranking employees for the various job vacancies. This involvement of employees in the promotion process emphasizes Office participation in equal employment opportunity.

Corrective action has been taken on a large number of complaints of racial discrimination and the appeal records accordingly have been closed.

With the co-operation of the General Services Administration, poor working conditions of employees in the Patent Copy Sales have been markedly improved.

An intense effort has been made to recruit Negro engineering and science students for Patent Office careers.

### ***Operating Cost and Income***

The Patent Office appropriation for fiscal 1963 was \$27,545,000, of which \$55,363 was transferred to General Services Administration for first-year rental of additional space, and \$27,489,637 was new obligational authority.



Program costs for this period were \$26,912,687, of which a net of \$30,352 was financed from obligations of prior years. The total amount obligated during fiscal 1963 was \$26,882,335, or 97.8 percent of new obligational authority.

Compensation for an average of 2,417 employees accounted for 73% of total operating expenses; related costs of employee life insurance, health benefits, retirement, Federal Insurance Contribution Act taxes, and awards for 5%; printing and reproduction for 17%; and all other operating costs for 5%.

During the year the Office received \$8,487,379 in fees and deposits from all sources. Refund of \$48,476 and a net increase of \$45,561 in the deposit fund for unapplied receipts resulted in a net income of \$8,393,342 credited to miscellaneous receipts of the Treasury as general fund revenue. This exceeds by \$200,586 the previous record-high amount for fiscal 1962, and was equivalent to about 31% of operating costs.

### ***Trademarks***

The number of new applications filed for the registration of trademarks during fiscal 1963 totalled 24,224, slightly less than for the previous year. This reduced input, coupled with a substantial examiner output, enabled the Trademark Operation to reduce its backlog to 17,022 including pre-examination cases. The Trademarks Operation also prepared revised editions of *Trademark Rules* and the *Information Pamphlet*, both available from the Superintendent of Documents, Government Printing Office.

### ***Service***

During fiscal 1963, a record number of approximately 11,000,000 copies of patents were sold and distributed throughout all corners of the world and 6,000,000 photo copies of Patent Office records were supplied at customers' requests. This represents a daily sale of 26,000 patent copies and 24,000 photo copies. In addition, high speed reproduction equipment using both microfilm and original documents were installed for the convenience of searchers, attorneys, engineers and others using Public Search Room and Scientific Library facilities. Copies of almost all records are now available on a "while-you-wait" basis.

Other improvements in service have been made by (1) 'In House' reproduction of patent copies, (2) the development of a multipurpose coupon order form, (3) the installation of a coin-operated microfilm reader and reproducer in the Public Search Room and (4) preliminary schedules for the complete automation of Patent Copy Sales have been prepared including system studies, specifications, etc., for phasing into full operation by 1966, if the money requested for this purpose for fiscal 1964 is approved by the Congress.



## ***Legislation***

On October 9, 1962, an Act (H.R. 4333) was approved (P.L. 87-772) to provide perfecting and clarifying amendments to the Trademark law.

On October 10, 1962, an Act (S. 1552) was approved (P.L. 87-781) which had for its general purpose more comprehensive regulation of drugs. An incidental provision of this statute authorized cooperation between the Secretary of Health, Education, and Welfare and the Commissioner of Patents with respect to information which may be helpful in connection with Patent applications relating to drugs.

On October 15, 1962, an Act (H.R. 12513) was approved (P.L. 87-845) to amend the patent laws (35 U.S.C. 135) by providing for limited publication of settlement agreements in interference cases.

On October 18, 1962, an Act (H.R. 10931) was approved (P.L. 87-845) which had for its general purpose revision and codification of laws in effect in the Canal Zone. A provision (Sec. 471) extended the application of patent, trademark and copyright laws of the United States to the Canal Zone.

During the 87th Congress, several bills concerned with the administration of the patent system were considered but failed of enactment. H.R. 10966, and S. 2225, to increase certain fees charged by the Patent Office and to effect certain procedural changes in the interest of economy and efficiency were introduced. Both bills were reported favorably by the respective Judiciary Committee but were not acted on by either the House of Representatives or the Senate. H.R. 9315, and S. 2639, to provide for use of a written declaration in lieu of an oath in practice before the Patent Office were introduced. The Senate bill was reported favorably by the Judiciary Committee but was not acted on by that body.

A bill to increase fees, similar to S. 2225 as reported by the Senate Judiciary Committee in 1962, has been introduced in the present Congress (H.R. 7370), and a bill to provide for a written declaration in lieu of an oath has also been introduced (H.R. 4430).

## ***International Activities***

The first meeting of the International Committee for Information Retrieval Among Examining Patent Offices (ICIREPAT) was held in the West German Patent Office in Munich. Through the auspices of ICIREPAT and with partial support from the National Science Foundation, a research associate program was initiated. Under this program highly skilled examiners from the patent offices of Japan, the Netherlands, Sweden, the United Kingdom and West Germany were sent to the United States to work with our research staff for extended periods. Arrangements have been made to convene the next meeting in September in Vienna.



## PATENT EXAMINING OPERATION

Inventory of Pending Patent and Design Applications as of  
June 30, 1963

Status	Patents including plants and reissues	Designs
Under Examination:		
Awaiting:		
Action by examiners .....	117,572	2,336
Response by applicant .....	74,128	3,613
In interference .....	2,881	9
On appeal, charged to:		
Board of Appeals .....	6,173	144
Court .....	379	3
Action suspended (awaiting examiner action) .....	38	
Total under examination .....	201,171	6,105
Preexamination .....	7,960	341
Total .....	209,131	6,446
Post examination:		
Allowed, on hand in the examining groups .....	2,978	385
Awaiting payment of final fee .....	15,229	
Deferred under statute .....	725	
Awaiting issuance, fee paid prior to June 30, 1963 .....	4,195	
Awaiting issuance, no fee required .....	211	
Applications awaiting entry of amendment (Rule 312) .....	128	
D-10's (secret cases in condition for allowance) .....	2,134	
Total .....	234,731	6,831



**Summary of Patent and Design Examining Activities,  
Fiscal Years 1961-63**

Item	1961	1962	1963	Annual average 1954-63
<b>Patents:</b>				
Applications filed:				
With fee:				
General, mechanical, chemical, electrical . . . . .	79, 213	83, 156	82, 729	77, 050
Plants . . . . .	106	131	149	116
Reissues . . . . .	223	270	277	232
No fees required:				
(35 U.S.C. 266) . . . . .	1, 073	1, 094	1, 148	} 1, 565
(C.G. decisions) . . . . .	556	614	743	
<b>Total . . . . .</b>	<b>81, 171</b>	<b>85, 265</b>	<b>85, 046</b>	<b>78, 963</b>
Applications allowed . . . . .	50, 384	58, 604	45, 433	47, 352
Applications abandoned . . . . .	27, 485	30, 447	30, 489	29, 007
<b>Total disposals . . . . .</b>	<b>77, 869</b>	<b>89, 051</b>	<b>75, 922</b>	<b>76, 359</b>
<b>Patents issued:</b>				
With fee:				
General, mechanical, chemical, electri- cal . . . . .	45, 454	49, 277	52, 532	43, 697
Plants . . . . .	110	88	114	107
Reissues . . . . .	160	190	214	172
No fee required:				
(35 U.S.C. 266) . . . . .	967	982	820	} 1, 406
(C.G. decisions) . . . . .	716	798	595	
<b>Total . . . . .</b>	<b>47, 407</b>	<b>51, 335</b>	<b>54, 275</b>	<b>45, 382</b>
<b>Patents withheld for nonpayment of final fee (35 U.S.C. 151) . . . . .</b>	<b>1, 171</b>	<b>1, 266</b>	<b>1, 434</b>	<b>1, 560</b>
<b>Designs:</b>				
Applications filed . . . . .	4, 605	4, 963	4, 841	4, 983
Applications allowed . . . . .	2, 693	2, 352	2, 725	2, 641
Applications abandoned . . . . .	2, 428	1, 947	2, 132	2, 243
Design patents issued . . . . .	2, 488	2, 335	2, 411	2, 558

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## Applications for Patents Filed, Fiscal Years

Year	Inventions	Plants	Reissues	Total	Designs
1944.....	50,027	46	181	50,254	3,711
1945.....	59,622	39	173	59,834	6,207
1946.....	77,872	68	165	78,105	10,800
1947.....	77,698	81	114	77,893	8,855
1948.....	73,188	68	129	73,385	7,323
1949.....	66,091	81	120	66,292	6,883
1950.....	69,025	92	178	69,295	7,307
1951.....	63,000	77	160	63,237	4,871
1952.....	60,107	93	186	60,386	4,606
1953.....	70,025	99	219	70,343	5,433
1954.....	74,987	90	194	75,271	5,501
1955.....	78,386	94	230	78,710	5,523
1956.....	75,420	117	196	75,733	5,322
1957.....	73,495	99	189	73,783	4,673
1958.....	76,565	129	262	76,956	4,838
1959.....	77,978	126	259	78,363	4,991
1960.....	78,995	117	219	79,331	4,567
1961.....	80,842	106	223	81,171	4,605
1962.....	84,864	131	270	85,265	4,963
1963.....	84,620	149	277	85,046	4,811

Patents Granted, Fiscal Years <sup>1</sup>

Year	Inventions	Plants	Reissues	Total	Designs
1944.....	29,305	39	169	29,513	2,270
1945.....	26,812	26	145	26,983	3,552
1946.....	23,535	43	115	23,693	3,384
1947.....	20,137	38	125	20,300	1,889
1948.....	21,336	59	120	21,515	3,102
1949.....	30,393	53	118	30,564	4,251
1950.....	38,464	106	113	38,683	4,826
1951.....	45,447	61	138	45,646	4,604
1952.....	42,963	91	133	43,187	3,344
1953.....	42,480	91	163	42,734	2,827
1954.....	38,499	87	167	38,753	2,573
1955.....	29,473	116	186	29,775	2,533
1956.....	40,465	88	141	40,694	3,104
1957.....	44,819	120	163	45,102	2,375
1958.....	43,407	110	159	43,676	2,572
1959.....	52,184	128	170	52,482	2,508
1960.....	50,322	107	178	50,607	2,685
1961.....	47,222	110	160	47,492	2,488
1962.....	51,065	88	190	51,343	2,336
1963.....	53,958	114	215	54,287	2,411

<sup>1</sup> Includes withdrawn numbers.



# Patent Applications Pending on June 30, of Year Indicated <sup>1</sup>

Year	Total pending <sup>2</sup>	Awaiting action by examiner <sup>3</sup>	Year	Total pending <sup>2</sup>	Awaiting action by examiner <sup>3</sup>
1944.....	99,157	46,208	1954.....	194,620	116,392
1945.....	116,981	61,891	1955.....	221,872	139,931
1946.....	157,861	110,386	1956.....	217,536	121,847
1947.....	202,923	139,116	1957.....	215,535	106,523
1948.....	233,174	148,184	1958.....	207,166	88,804
1949.....	232,171	140,711	1959.....	198,248	87,146
1950.....	219,334	124,823	1960.....	195,885	87,122
1951.....	201,382	108,996	1961.....	200,934	90,917
1952.....	185,084	96,836	1962.....	197,397	100,841
1953.....	182,650	98,878	1963.....	209,131	117,610

<sup>1</sup> Does not include allowed applications and design applications.

<sup>2</sup> Beginning with 1917, includes applications in preexamining processes.

<sup>3</sup> Includes cases in which Office actions were suspended under rule 103.

## CLASSIFICATION

### Classification Activity, Fiscal Years 1959-63

Activity	1959	1960	1961	1962	1963
Classes abolished.....	5	8	6	6	6
Original patents.....	55,604	33,548	41,036	21,830	56,589
Cross-reference patents.....	31,903	18,070	28,135	26,278	51,872
Classes established.....	8	6	6	7	6
Subclasses.....	2,887	2,054	1,588	2,236	1,625
Original patents.....	65,429	44,688	38,393	43,231	55,598
Cross-reference patents.....	107,982	94,010	57,965	97,461	96,667
Foreign patents.....	63,911	69,276	43,171	79,445	69,636
Miscellaneous subclasses:					
Established.....	156	664	468	246	114
Original patents.....	4,662	16,473	16,011	6,026	4,611
Cross-reference patents.....	3,408	23,251	18,869	6,114	3,374
Miscellaneous patents transferred...	9,450	11,097	11,261	11,440	11,973
Assignment decisions:					
Written.....	263	138	131	136	104
Oral.....	5,945	5,088	6,102	7,230	6,864
Letters of inquiry answered.....	1,354	1,329	1,402	1,199	1,161

## TRADEMARK OPERATION

Inventory of Pending Trademark Applications as of  
June 30, 1963

Status	For registration	For renewal	Under sec. 12(c)	Sec. 8 affidavits
Under Examination:				
Awaiting:				
Action by examiners.....	14,996	194	73	363
Response by applicant.....	7,943	143	3	19
On ex parte appeal.....	77			
In adversary proceedings.....	1,449			
Total under examination.....	24,465	337	76	559
Preexamination.....	2,026	70	9	181
Post examination: (includes applications in all phases of publication and issue).....	7,401	306	35	
Total.....	33,892	713	120	740

Summary of Trademark Examining Activities,  
Fiscal Years 1961-63

Item	1961	1962	1963	Annual average 1954-63
Applications for registration filed.....	23,169	24,807	24,224	22,406
Disposal of trademark applications:				
Applications maturing to registration.....	17,452	16,005	18,332	17,575
Applications abandoned.....	4,639	4,358	5,166	4,335
Certificates of registration issued:				
1946 act, principal register.....	16,572	15,052	17,253	16,413
1946 act, supplemental register.....	829	852	1,013	1,081
Total.....	17,401	15,904	18,266	17,494
Renewal of registration:				
Applications filed.....	3,476	3,138	2,604	3,488
Applications abandoned.....	70	46	87	51
Registrations renewed.....	3,748	3,071	2,448	3,416
Affidavits for benefits under sec. 12(c):				
Affidavits filed.....	423	337	311	706
Affidavits abandoned.....	2	2	4	6
Published under sec. 12(c).....	451	331	321	736
Affidavits, sec. 8:				
Affidavits filed.....	14,581	14,720	12,752	15,203
Affidavit disposal.....	14,263	14,773	13,136	15,176



**Applications for Trademark Registrations, Renewals, and  
Sec. 12(c) Affidavits, Fiscal Years**

Year	For registration	For renewal	For benefits under sec. 12 (c)	Affidavits received under sec. 8	Year	For registration	For renewal	For benefits under sec. 12 (c)	Affidavits received under sec. 8
1944...	10, 102	4, 301	.....	.....	1954...	19, 715	3, 887	1, 626	16, 491
1945...	13, 569	5, 049	.....	.....	1955...	21, 515	3, 931	1, 287	17, 773
1946...	19, 780	6, 436	.....	.....	1956...	21, 735	3, 675	808	12, 040
1947...	20, 373	6, 358	.....	.....	1957...	21, 581	3, 638	843	12, 873
1948...	35, 157	4, 251	29, 212	.....	1958...	21, 770	3, 237	556	12, 126
1949...	20, 141	4, 011	4, 225	.....	1959...	22, 243	3, 321	447	11, 548
1950...	18, 755	3, 731	2, 206	.....	1960...	23, 242	3, 972	419	12, 573
1951...	15, 962	3, 310	1, 379	.....	1961...	23, 169	3, 476	423	14, 581
1952...	16, 126	3, 383	1, 164	.....	1962...	24, 866	3, 138	337	14, 720
1953...	17, 400	3, 075	1, 309	1, 424	1963...	24, 224	2, 604	311	12, 752

**Trademarks Registered, Renewed and Published Under  
Sec. 12(c), Fiscal Years <sup>1</sup>**

Year	Registered	Renewed	Published under sec. 12(c)	Year	Registered	Renewed	Published under sec. 12(c)
1944.....	5, 719	3, 971	.....	1954.....	15, 197	2, 918	1, 383
1945.....	6, 987	3, 913	.....	1955.....	16, 109	4, 588	1, 544
1946.....	7, 185	4, 993	.....	1956.....	21, 613	3, 315	885
1947.....	8, 833	4, 880	.....	1957.....	17, 864	4, 041	877
1948.....	9, 411	6, 704	8, 298	1958.....	15, 979	3, 172	555
1949.....	14, 450	4, 735	20, 819	1959.....	17, 685	3, 249	529
1950.....	16, 378	3, 573	4, 873	1960.....	18, 989	3, 614	479
1951.....	17, 869	3, 487	1, 589	1961.....	17, 406	3, 749	451
1952.....	16, 400	3, 314	1, 304	1962.....	15, 909	3, 071	331
1953.....	16, 273	3, 268	1, 157	1963.....	18, 266	2, 450	322

<sup>1</sup> Includes withdrawn numbers.

**Summary of Patent Office Services Furnished for Fees or Without Charge to the Public or Other Government Agencies During Fiscal Year 1963**

Item or service provided	Total supplied	Furnished other Gov- ernment agencies	Patent Office use	Number for which charge was made
Prints furnished: Manuscripts, patents, publications, etc. ....	6,440,806	64,000	1,093,290	5,283,516
Certificates prepared. ....	78,288	552	20	77,716
Assignments:				
Abstract of title and title searches. ....	1,178	27	.....	1,151
Title reports. ....	39,942	.....	19,196	20,746
Instruments recorded. ....	73,611	4,460	.....	69,151
Printed copies:				
Patents and trademarks. ....	7,800,388	107,702	878,683	6,814,003
Foreign exchange. ....	2,386,619	2,386,619	.....	.....
Library subscriptions. ....	1,249,220	.....	.....	1,249,220
Total. ....	11,436,227	2,494,321	878,683	8,063,223
Drawings and corrections. ....	11,727	.....	.....	<sup>1</sup> 11,727

<sup>1</sup> An additional 3,444 drawings were corrected without charge.

**Summary of Contested Applications, Patent and Designs**

Item	Pending, June 30, 1962	Receipts, fiscal year 1963	Disposals, fiscal year 1963	Pending, June 30, 1963
Patent cases before the Board of Interference Examiners. ....	1,869	861	<sup>1</sup> 860	1,870
In interlocutory stage. ....	1,844	.....	.....	1,839
Finally heard, awaiting decision. ....	25	.....	.....	31
Petitions to the Commissioner. ....	477	9,461	9,491	447
Ex parte. ....	157	2,962	2,899	220
Inter partes. ....	29	109	124	14
To make special. ....	0	354	354	0
To revive. ....	72	1,011	1,016	67
Informal petitions. ....	5	7	8	4
Delayed payment of final fee. ....	11	302	299	14
Under rule 312. ....	203	4,716	4,791	128

<sup>1</sup> Includes 665 decisions before and 195 after final hearing.



## Summary of Contested Trademark Applications

Item	Pending, June 30, 1962	Receipts, fiscal year 1963	Disposals, fiscal year 1963	Pending, June 30, 1963
Proceedings before the Trademark Trial and Appeal Board . . . . .	1,500	1,492	<sup>1</sup> 1,524	1,468
In interlocutory stage . . . . .	1,362			1,427
Finally heard, awaiting decision . . . . .	138			41
Interferences . . . . .	107	111	111	107
Oppositions . . . . .	1,049	1,009	962	1,096
Cancellations . . . . .	216	204	211	209
Concurrent use . . . . .	13	8	16	5
Reinstatements . . . . .	20	8	23	5
Ex parte appeals . . . . .	94	107	156	45
Petitions for reconsideration . . . . .	1	45	45	1
Petitions to the Commissioner . . . . .	4	21	16	9
Ex parte appeals . . . . .	0	7	4	3
Adversary proceedings . . . . .	4	14	12	6

<sup>1</sup> Includes 1,050 before, 474 after final hearing.

## Cases in Litigation

Item	Pending, June 30, 1962	Receipts, fiscal year 1963	Disposals, fiscal year 1963	Pending, June 30, 1963
Patent cases before the Board of Appeals . .	10,577	13,462	15,287	8,752
Examiner affirmed . . . . .			3,794	
Examiner affirmed in part . . . . .			562	
Examiner reversed . . . . .			869	
Withdrawn . . . . .			7,817	
Dismissed . . . . .			1,626	
Suspended . . . . .			39	
Reconsiderations (incl. in total) . . . . .	108	616	580	144
Supreme Court of the United States:				
Petitions for writ of certiorari . . . . .	0	1	1	0
Patents . . . . .	0	1	1	0
Trademarks . . . . .	0	0	0	0
U.S. Court of Appeals District of Colum- bia Circuit . . . . .	1	5	2	4
Patent cases . . . . .	1	5	2	4
Patent Office affirmed . . . . .			1	
Patent Office reversed . . . . .			0	
Dismissed . . . . .			1	
Trademark cases . . . . .	0	0	0	0

## Cases in Litigation—Continued

Item	Pending, June 30, 1962	Receipts, fiscal year 1963	Disposals, fiscal year 1963	Pending June 30, 1963
U.S. District Court for the District of Columbia.....	135	114	97	15
Patent cases.....	133	112	95	15
Patent Office affirmed.....			19	
Patent Office affirmed in part.....			0	
Patent Office reversed.....			2	
Dismissed.....			74	
Trademark cases.....	2	2	2	
Patent Office affirmed.....			2	
Dismissed.....			0	
The U.S. Court of Customs and Patent Appeals:				
Notices of appeal filed.....		306		
Appeals instituted.....	207	251	213	24
Patent ex parte appeals.....	140	180	144	17
Patent Office affirmed.....			74	
Patent Office affirmed in part.....			18	
Patent Office reversed.....			30	
Dismissed.....			22	
Patent inter parte appeals.....	19	31	20	3
Patent Office affirmed.....			12	
Patent Office affirmed in part.....			1	
Patent Office reversed.....			3	
Dismissed.....			4	
Trademark ex parte appeals.....	11	4	10	
Patent Office affirmed.....			5	
Patent Office reversed.....			3	
Dismissed.....			2	
Trademark adversary proceed- ings.....	37	36	39	3
Patent Office affirmed.....			22	
Patent Office affirmed in part.....			1	
Patent Office reversed.....			12	
Dismissed.....			3	
Remanded.....			1	



**Comparison of Operating Cost by Major Groupings,  
Fiscal Years 1961-63**

Major grouping	1961	1962	1963
Personnel compensation . . . . .	\$17,486,833	\$18,206,890	\$19,534,517
Personnel benefits . . . . .	1,329,317	1,386,878	1,475,176
Printing and reproduction . . . . .	3,720,292	3,680,556	4,543,394
Other expenses . . . . .	1,122,382	1,116,325	1,359,600
Total program costs . . . . .	23,658,824	24,390,649	26,912,687
Change in selected resources . . . . .	-27,328	358,366	-30,352
Total obligations . . . . .	\$23,631,496	\$24,749,015	\$26,882,335

**Comparison of Operating Cost and Income, Fiscal Years**

Year	Operating cost	Income from fees		Year	Operating cost	Income from fees	
		Amount	Percent of operating cost			Amount	Percent of operating cost
1944 . . .	4,858,852	3,450,656	71	1954 . .	11,933,934	6,054,792	51
1945 . . .	5,041,562	3,777,632	75	1955 . .	11,629,318	5,872,060	50
1946 . . .	5,914,471	4,427,682	75	1956 . .	14,471,723	6,547,469	45
1947 . . .	7,262,472	4,689,441	65	1957 . .	16,514,067	6,829,855	41
1948 . . .	8,603,032	5,525,842	64	1958 . .	19,528,142	6,938,521	36
1949 . . .	10,101,923	5,201,598	51	1959 . .	20,701,925	7,347,194	35
1950 . . .	11,023,036	5,448,342	49	1960 . .	21,505,872	7,435,148	35
1951 . . .	11,248,339	5,503,881	49	1961 . .	23,658,824	7,648,198	32
1952 . . .	12,219,557	5,377,667	44	1962 . .	24,390,649	8,192,756	34
1953 . . .	12,129,581	5,620,310	46	1963 . .	26,912,687	8,393,342	31

NOTE: Prior to 1959, operating cost is expressed in terms of obligations incurred.

## Relationship of Patent Office Fees in Terms of Income Produced, Fiscal Year 1963

Item	Amount	Percent of total
1. Patent filing fee, including \$50,477 for extra claims.....	\$2,526,474	30.10
2. Patent copies.....	1,631,692	19.44
3. Patent final fee, including \$10,106 for extra claims.....	1,492,147	17.70
4. Reproduction of records.....	970,660	11.54
5. Trademark filing fee.....	606,059	7.22
6. Patent appeals.....	305,795	3.63
7. Recording assignments.....	214,990	2.56
8. Special service on orders.....	116,393	1.39
9. Design filing fee, including \$37,614 for term extensions....	95,713	1.14
10. Certification of copies.....	84,408	1.01
11. Trademark renewal fee, including \$1,885 for delayed appli- cation.....	65,871	.78
12. Drawings and corrections.....	61,335	.73
13. Trademark copies.....	34,382	.41
14. Trademark oppositions and cancellations.....	32,335	.39
15. Subscription service for copies.....	31,368	.37
16. Title reports.....	22,005	.26
17. Classified lists of patents.....	14,776	.18
18. Air-mail postage.....	10,054	.12
19. Revival of abandoned applications.....	7,313	.09
20. Design copies.....	6,883	.08
21. Patent reissue fee, including \$189 for extra claims.....	6,669	.08
22. Box rental.....	6,238	.07
23. Certificate of correction.....	5,110	.06
24. Other fees (approximately 30 in number), less than \$5,000 each.....	44,672	.53
Total income.....	\$8,393,342	100.00

## Statement of Income and Operating Cost for Fiscal Year 1963

Deposit fund balance at June 30, 1962.....	\$197,022	
Receipts during fiscal 1963.....	8,487,379	
Refundments during fiscal 1963.....	\$48,476	8,684,401
Deposit fund balance at June 30, 1963.....	242,583	-291,054
Total income.....		8,393,342
Operating cost:		
Patent Examining Corps.....	18,154,391	
Office of Patent Classification.....	1,359,150	
Office of Research and Development.....	678,475	
Board of Patent Interferences.....	159,287	
Board of Appeals.....	710,418	
Examination and adjudication of patent applications.....		21,061,721
Trademark Examining Operation.....	911,985	
Trademark Trial and Appeal Board.....	138,119	
Examination and adjudication of trademark applications.....		1,050,104
Office of Commissioner.....	574,071	
Office of Administration.....	3,691,172	
Scientific Library.....	491,170	
Office of Information Services.....	44,449	
Administration and program services.....		4,800,862
Total program costs.....		\$26,912,687